this new ward is completed which I think will be over before a month or two. No doubt, it is not a very ideal state of affairs to have maternity cases extended to in the general wards though we have got a special small room which could be used for the same. As things are at present there is no place to put up an additional labour ward. Before we put an additional labour ward we shall have to acquire more lands. The proposal is before the Government. The Diwan Peishkar inspected the site personally along with me. The land acquisition charges come to about 3 to 4 thousand rupees. It is only after this land acquisition is over that we will be in a position to put up this additional ward. Due to the present budgetary position it was not possible to include this item. But towards the middle of the year when the Chief Engineer finishes the work that has already been taken up consideration will be given to this subject when land acquisition proceedings will be started and the necessary labour ward will be constructed.

As regards the lady doctor it has been brought to the notice of this House many times that no more additional hands should be appointed in the Department. As such during the last few years the attempt of the Department was to enlist lady doctors when male doctors retired. The last 5 or 6 vacancies in the Department were filled up by ladies alone. At present the number of ladies in the cadre of sub-assistant surgeons in the Department is too few so that the Department is not in a position to appoint one to this hospital. The earliest opportunity when anybody retires will be taken to enlist ladies in the Department and this also be will be attended to. Before that, I am afraid the Government may not be able to take this matter on hand.

Resolution was, by leave, withdrawn.

4. Release of harmless incapaciated long term prisoners.

Mr. T. S. Balarama Ayyar.—"*This Council recommends to the Government that such of the long term prisoners as are totally incapable to do any mischief and are beyond all reasonable hopes of recovery from the wasting diseases to which they have fallen a prey and have therefore ceased to be a danger to the public, may be released, if recommended to do so by a standing committee appointed for the purpose, consisting of among others, the District Magistrate, the Chief Medical Officer, the Superintendent of Central Jail and the honorary visitors of the jail, on such conditions as they may fix in each case*".

LIBRARY ARCHIVES Kerala Legislative Assembly

My resolution is self-explanatory. It only asks to release such of the prisoners as have been reduced by Providence to the position of what may be called Jeevachavams, i. e., practically dead though nominally living. Many parts of their body have already ceased to function, they are dying inch by inch. They cannot even move many of their limbs. They have ceased to be a source of public danger. They are actually on their death bed awaiting the final call. There is as much justification in keeping them in the jail as there will be if the dead body of a person who dies before he completes his term is kept simply because he has not completed his term of imprisonment. They are an unnecessary drain on the resources of the State. By releasing them they will be enabled to spend their last days amidst their relations and get that service which they alone will be able to render. In the central Jail at Viyyur I believe there are 3 or 4 who belong to this class.

Dr. A. R. Menon.—7 or 8.

Mr. T. S. Balarama Ayyar.—I think two purposes are supposed to be served by punishment, one being to prevent their being a source of danger to the public and to open their eyes to the consequences of committing a crime for which they are sentenced. The other is to serve as an eye-opener to evil minded persons from sinning against the laws of society. By releasing these persons we shall not be defeating either of these two purposes. The first purpose has already been served and the second purpose will not be defeated. I, therefore, request the House to kindly accept this resolution.

Mr. A. V. Moothedan.—I second the resolution.

* **Dr. A. R. Menon.**—I have been associated with the jail for the last 10 years and I may say I am very thankful to the Government for having given me the facility to serve the jail. There is no public work that has appealed to me and that appeals to me so much as the honorary work that I have been enabled to do in the jail and it is a matter of great pride to me as well as to the Government officers and I may say to the Government also that a great deal of changes have been effected in the Central Jail at Viyyur, that I honestly think that the jail under the Durbar is perhaps one of the most efficiently managed jails with very considerate treatment to the prisoners. If you refer to the jail records you will see that by these changes all kinds of punishments which necessitated for the maintenance of discipline in older times have been found unnecessary and that

* Speech not corrected by the Hon'ble Member.

LIBRARY ARCHIVES Kerala Legislative Assembly

with the minimum of punishment the discipline is maintained in the jail. I may say that anyone who visits the jail will never think that he is visiting a jail. The prisoners are treated very well. I assure the House in my honorary capacity as a visitor I used to visit the jail without any previous intimation and I used to put a lot of questions without any restraint and the prisoners are allowed to make any complaint they wanted to make and they are never molested for making such complaints. We have found only one grievance and that the pitiable condition of a number of prisoners. It is not due to any fault of the jail authorities. These people are suffering from a kind of disease which reduces the limbs to skeletons. They are unable to move about. In this condition some of them have been living there for years. Another strange fact is a majority of the people suffering from this disease are people convicted of murder.

There is a clause in the jail rules that for a prisoner to be released a doctor should certify that if he is not released he is likely to die very soon. It is only when such a certificate is granted that the Government will move in the matter. No Doctor can certify that these people will die unless they are released. It is impossible. The result has been that the required conditions could not be fulfilled and these people are kept in the jail.

Now, just think how much money is wasted upon them. They require to be treated as hospital patients. They must be given cots, beds, blankets and all the necessary things that we would give to a hospital patient. It is very doubtful whether these people will be of any use either from the public point of view or from the point of view of their own inclination. The object of keeping them in jail, I understand, is not as a punishment but also to keep them from further mischief being done to society. I am fully convinced that these people will never in this life be in a position to do any mischief. If the Government thinks that in spite of all that the law must exact its pound of flesh and that they should be kept in jail irrespective of other considerations I have nothing to say to that point of view. If you attach more importance to the prevention of these people doing any mischief to their fellow-being I am absolutely satisfied that the Government need not be anxious at all. There is one who has been let out and we had to make representations for about two or three years. That was the notorious, or famous as you like, Shakkannan. He is still alive though I am told on the death-bed.

LIBRARY ARCHIVES Kerala Legislative Assembly

Such is the condition. I think the Government may rest assured that I am not likely to come forward to make any suggestion based on sentiment. But in full sense of responsibility I have made this representation and I hope the Government will seriously consider this matter in consultation with the Chief Medical Officer, the Superintendent of the Jail and the Inspector General of Prisons. I trust the Government will consider this matter with greater sympathy.

Dr. D. Raghavendra Rao.—Sir, I agree with every word that has been expressed by the Hon'ble Members of the House. But I do not think that there is any necessity for a fresh committee. Already the rules that are existing give ample provision. No doubt there is one sentence in the jail rules that a doctor should certify that unless the prisioner is set out he will die. It is that that really stands against the Medical Officer certifying and the Jail Rule requires that it should be done in the very wording.

As regards letting them off the difficulty is that some of these men have no relations. I myself know that I recommended, when I was the Civil Surgeon at Trichur, the release of some prisoners. It is not that the Government is vindictive. A lot of money was spent for giving them Ayurvedic treatment. A good deal was spent for bringing them over here for X'Ray Examination. But the nature of the disease has baffled the profession. At first it was thought to be beri beri. But it is not so. It is common in other Jails also. We wanted to release some others also. But the difficulty was there were no relations to come and take charge of them.

Mr. President.—The Honorary visitors may bring the matter to the notice of the Government.

Dr. D. Raghavendra Rao.—We once brought this to the notice of the Government but this certificate stood in the way.

Mr. T. S. Balarama Ayyar.—I beg leave of the House to withdraw the Resolution.

Resolution was, by leave, withdrawn.

5. Collection and conservation of ancient cadjan Granthas.

Mr. A. Narayana Menon.—"*This Council recommends to the Government that immediate arrangements be made to*

LIBRARY ARCHIVES Kerala Legislative Assembly